

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

DEC 28 2015

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

§

VS

§

CRIMINAL NO.

B-15-1147

ERNESTO PEREZ

§

ALEXIS FONSECA-TAMAYO

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

From on or about December 10, 2014 through December 3, 2015, in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

**ERNESTO PEREZ and
ALEXIS FONSECA-TAMAYO,**

did knowingly and willfully conspire and agree with each other and persons known and unknown to the Grand Jurors to violate Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (iii), that is, the object of their conspiracy and agreement was to transport and move and attempt to transport and move by means of a motor vehicle, on foot and other means of transportation and conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection by means of a building and other means of transportation, an alien who had come to, entered, and remained in the United States, in violation of law, and in furtherance of said alien's illegal presence in the United States.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I) and

1324(a)(1)(B)(i).

COUNT 2

On or about December 3, 2015 in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

**ERNESTO PEREZ and
ALEXIS FONSECA-TAMAYO,**

knowing and in reckless disregard of the fact that an alien, Brandon Ivan Luna-Lopez, had come to, entered, and remained in the United States in violation of law, did transport and move, and attempt to transport and move such alien within the United States, from near Brownsville, Texas, to near McAllen, Texas, by means of a motor vehicle and on foot, in furtherance of such violation of law for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

COUNT 3

On or about December 3, 2015 in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

**ERNESTO PEREZ and
ALEXIS FONSECA-TAMAYO,**

knowing and in reckless disregard of the fact that an alien, Jose De Jesus Bueso-Ulloa, had come to, entered, and remained in the United States in violation of law, did transport and move, and attempt to transport and move such alien within the United States, from near Brownsville, Texas, to near McAllen, Texas, by means of a motor vehicle and on foot, in furtherance of such violation of law for the purpose of commercial advantage and

private financial gain.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

COUNT 4

On or about December 3, 2015, in the Southern District of Texas and within the jurisdiction of the Court, Defendant

**ERNESTO PEREZ and
ALEXIS FONSECA-TAMAYO,**

knowing and in reckless disregard of the fact that an alien, Brandon Ivan Luna-Lopez, had come to, entered, and remained in the United States in violation of law, did conceal, harbor, and shield from detection such alien in buildings and other places, in furtherance of such violation of law for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

COUNT 5

On or about December 3, 2015, in the Southern District of Texas and within the jurisdiction of the Court, Defendant

**ERNESTO PEREZ and
ALEXIS FONSECA-TAMAYO,**

knowing and in reckless disregard of the fact that an alien, Jose De Jesus Bueso-Ulloa, had come to, entered, and remained in the United States in violation of law, did conceal, harbor, and shield from detection such alien in buildings and other places, in furtherance of such violation of law for the purpose of commercial advantage and private financial

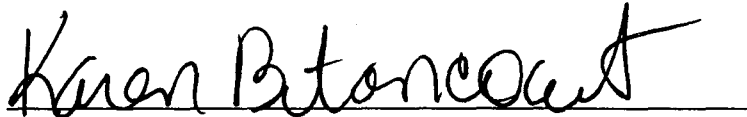
gain.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Karen Betancourt", is written over a horizontal line.

KAREN BETANCOURT
Assistant United States Attorney